

01-28-02

GP/2166#4 BT
02-05-02

Attorney's Docket No. 43349/236035

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Nemeth et al.

Appl. No.: 09/883,708

Confirmation No. 1123

Filed: June 18, 2001

For: METHODS AND SYSTEMS FOR
PROVIDING MEDICAL DATA TO A THIRD PARTY
IN ACCORDANCE WITH CONFIGURABLE
DISTRIBUTION PARAMETERS

RECEIVED

JAN 30 2002

Technology Center 2100

January 2, 2002

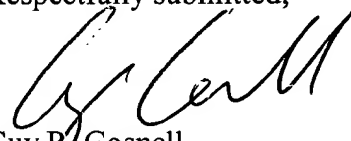
Commissioner for Patents
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT
CITATION UNDER 37 C.F.R. § 1.97**

Sir:

Attached is a list of documents on form PTO-1449 together with a copy of each identified document. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

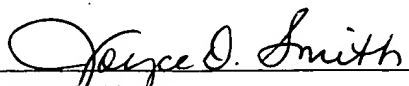
Respectfully submitted,


Guy R. Gosnell
Registration No. 34,610

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
#4513088v1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Washington, DC 20231, on January 2, 2002.


Joyce D. Smith

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 7

Complete Known

Application Number 09/883,708
Filing Date June 18, 2001
First Named Inventor Nemeth et al.
Group Art Unit
Examiner Name
Attorney Docket Number 43349/236035

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1	3,278,680	10-11-1966	Hummel	
	2	3,484,549	12-16-1969	Ricketts et al.	
	3	3,557,304	01-19-1971	Rue et al.	
	4	4,123,785	10-31-1978	Cherry et al.	
	5	4,207,688	06-17-1980	Derderian et al.	
	6	4,360,345	11-23-1982	Hon	
	7	4,636,858	01-13-1987	Hague et al.	
	8	4,660,145	04-21-1987	Hansen	
	9	4,802,018	01-31-1989	Tanikawa et al.	
	10	4,945,477	07-31-1990	Edwards	
	11	4,958,640	09-25-1990	Logan	
	12	5,075,881	12-24-1991	Blomberg et al.	
	13	5,189,609	02-23-1993	Tivig et al.	
	14	5,228,854	07-20-1993	Eldridge	
	15	5,240,416	08-31-1993	Bennington	
	16	5,249,967	10-05-1993	O'Leary et al.	
	17	5,283,643	02-01-1994	Fujimoto	
	18	5,307,263	04-26-1994	Brown	
	19	5,309,920	05-10-1994	Gallant et al.	
	20	5,333,091	07-26-1994	Iggulden et al.	
	21	B1 5,333,091	05-07-1996	Iggulden et al.	
	22	5,359,472	10-25-1994	Motohashi	
	23	5,365,935	11-22-1994	Righter et al.	
	24	5,366,376	11-22-1994	Copperman et al.	
	25	5,371,687	12-06-1994	Holmes, II et al.	

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 7

Complete Known

Application Number 09/883,708
Filing Date June 18, 2001
First Named Inventor Nemeth et al.
Group Art Unit
Examiner Name
Attorney Docket Number 43349/236035

U. S. PATENT DOCUMENTS

26	5,376,007	12-27-1994	Zirm
27	5,416,695	05-16-1995	Stutman et al.
28	5,421,728	06-06-1995	Milden
29	5,428,530	06-27-1995	Brown et al.
30	5,428,774	06-27-1995	Takahashi et al.
31	5,447,164	09-05-1995	Shaya et al.
32	5,457,460	10-10-1995	Tran et al.
33	5,467,274	11-14-1995	Vax
34	5,549,115	08-27-1996	Morgan et al.
35	5,566,032	10-15-1996	Cleveland et al.
36	5,566,096	10-15-1996	Wodlinger et al.
37	5,576,952	11-19-1996	Stutman et al.
38	5,594,906	01-14-1997	Holmes, II et al.
39	5,613,032	03-18-1997	Cruz et al.
40	5,619,995	04-15-1997	Lobodzinski
41	5,634,468	06-03-1997	Platt et al.
42	5,640,967	06-24-1997	Fine et al.
43	5,655,058	08-05-1997	Balasubramanian et al.
44	5,659,400	08-19-1997	Edakubo et al.
45	5,675,511	10-07-1997	Prasad et al.
46	5,678,562	10-21-1997	Sellers
47	5,678,571	10-21-1997	Brown
48	5,683,423	11-04-1997	Post
49	5,724,025	03-03-1998	Tavori
50	5,730,654	03-24-1998	Brown
51	5,785,043	07-28-1998	Cyrus et al.
52	5,797,134	08-18-1998	McMillan et al.

RECEIVED
JAN 30 2002
Technology Center 2100

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1

Substitute for form 1449A/PTO (Revised 10/2001)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Application Number: 09/883,708
Filing Date: June 18, 2001
First Named Inventor: Nemeth et al.
Group Art Unit:
Examiner Name:
Attorney Docket Number: 43349/236035

Sheet 3 of 7

U. S. PATENT DOCUMENTS					
53	5,826,206	10-20-1998	Nemeth		
54	5,832,448	11-03-1998	Brown		
55	5,840,020	11-24-1998	Heinonen et al.		
56	5,842,975	12-01-1998	Illyés et al.		
57	5,844,824	12-01-1998	Newman et al.		
58	5,860,918	01-19-1999	Schradi et al.		
59	5,889,474	03-30-1999	LaDue		
60	5,891,049	04-06-1999	Cyrus et al.		
61	5,897,493	04-27-1999	Brown		
62	5,899,855	05-04-1999	Brown		
63	5,913,310	06-22-1999	Brown		
64	5,918,603	07-06-1999	Brown		
65	5,931,791	08-03-1999	Saltzstein et al.		
66	5,933,136	08-03-1999	Brown		
67	5,951,485	08-14-1999	Cyrus et al.		
68	5,954,793	09-21-1999	Stutman et al.		
69	5,959,529	09-28-1999	Kail, IV		
70	5,960,403	09-28-1999	Brown		
71	5,967,975	10-19-1999	Ridgeway		
72	5,985,559	11-16-1999	Brown		
73	5,997,476	12-07-1999	Brown		
74	6,001,060	12-14-1999	Churchill et al.		
75	6,023,241	02-08-2000	Clapper		
76	6,047,203	04-04-2000	Sackner et al.		
77	6,050,940	04-18-2000	Braun et al.		
78	6,064,970	05-16-2000	McMillan et al.		
79	6,069,896	05-30-2000	Borgstahl et al.		

RECEIVED
JAN 30 2002
Technology Center 2100

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 4 of 7

Complete Known

Application Number 09/883,708
Filing Date June 18, 2001
First Named Inventor Nemeth et al.
Group Art Unit
Examiner Name
Attorney Docket Number 43349/236035

U. S. PATENT DOCUMENTS

80	6,072,396	06-06-2000	Gaukel	
81	6,077,223	06-20-2000	Satherley	
82	6,101,478	08-08-2000	Brown	
83	6,117,077	09-12-2000	Del Mar et al.	
84	6,141,574	10-31-2000	Satherley et al.	
85	6,142,938	11-07-2000	Satherley	
86	6,151,586	11-21-2000	Brown	
87	6,161,095	12-12-2000	Brown	
88	6,167,362	12-26-2000	Brown et al.	
89	US 6,168,563 B1	01-02-2001	Brown	
90	US 6,175,752 B1	01-16-2001	Say et al.	
91	US 6,186,145 B1	02-13-2001	Brown	
92	US 6,190,326 B1	02-20-2001	McKinnon et al.	
93	US 6,200,264 B1	03-13-2001	Satherley et al.	
94	US 6,210,272 B1	04-03-2001	Brown	
95	US 6,225,901 B1	05-01-2001	Kail, IV	
96	US 6,240,393 B1	05-29-2001	Brown	
97	US 6,245,013 B1	06-12-2001	Minoz et al.	
98	US 6,246,992 B1	06-12-2001	Brown	
99	US 6,248,065 B1	06-19-2001	Brown	
100	US 6,270,455 B1	08-07-2001	Brown	

RECEIVED
JAN 30 2002
Technology Center 2100

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	101	WO 00/18293 A1 ✓	04-06-2000	Health Hero Network, Inc.		

Examiner Signature	Date Considered
--------------------	-----------------

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete Known

Application Number	09/883,708
Filing Date	June 18, 2001
First Named Inventor	Nemeth et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	43349/236035

FOREIGN PATENT DOCUMENTS

102	✓	WO 00/33236 A1	06-08-2000	Health Hero Network, Inc.		
103	✓	WO 01/37174 A1	05-25-2001	Health Hero Network, Inc.		
104	✓	WO 00/32098 A1	06-08-2000	Health Hero Network, Inc.		
105	✓	EP 0 675 420 A1	10-04-1995	Bodenseewerk Geratetechnik GmbH		
106	✓	WO 95/25313 A1	09-21-1995	International Business Machines Corporation		
107	✓	WO 00/36900 A2	06-29-2000	Fourie, L.		
108	✓	WO 00/37129 A1	06-29-2000	Alcor Medical Instruments		
109	✓	WO 00/38393 A2	06-29-2000	Fourie, L.		
110	✓	EP 0 636 009 B1	02-01-1995	Micromedical Industries Limited		
111	✓	WO 00/72181 A2	11-30-2000	Minimed Inc.		
112	✓	WO 00/18449 A2	04-06-2000	Minimed Inc.		

RECEIVED
JAN 30 2002
Technology Center 2100

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	113	<i>A Cognitive Classification of Pilot Performance in Air Combat</i> , M. R. Houck et al., IEEE 1992 National Aerospace and Electronics Conference NAECON 1992, Vol. 2, pp. 503-509	
	114	<i>Digital Debriefing Systems for CRM</i> , Captain L. Nemeth, The CRM Advocate, Issue 94.1, January 1994, pp. 1, 7 and 8.	
	115	<i>CADS Computer Aided Debriefing Station</i> , Captain M. Rogers, The CRM Advocate, Issue 93.1, October, 1993, pp. 1-2	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete Known

Application Number 09/883,708
Filing Date June 18, 2001
First Named Inventor Nemeth et al.
Group Art Unit
Examiner Name
Attorney Docket Number 43349/236035

RECEIVED
JAN 30 2002
Technology Center 2100

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue-number(s), publisher, city and/or country where published.	T
	116 ✓	Crew Resource Management Training, Advisory Circular, U.S. Department of Transportation, Federal Aviation Administration, January 3, 1995, 27 pages	
	117 ✓	That Championship Start-Up, L. Brokaw, <u>Inc.</u> , January 1996, pp. 58-65	
	118 ✓	HEADLINE: HEALTHWATCH Internet may offer remedies; <i>Charleston Daily Mail</i> , January 25, 2000	
	119 ✓	HEADLINE: FOR DOCTORS, AN ONLINE CONSULTANTS; <i>Business Week</i> , May 22, 2000	
	120 ✓	HEADLINE: Stanford launching online learning tool for doctors; <i>San Jose Mercury News</i> , May 10, 2000	
	121 ✓	HEADLINE: Sabratek Acquires Moon Communications, Internet Portal/ASP Company; <i>PR Newswire</i> ; July 6, 1999	
	122 ✓	HEADLINE: CYBeR-CARE'S EHC 200 Model Deemed Exempt from FDA Approval; <i>Business Wire</i> ; May 26, 2000	
	123 ✓	HEADLINE: Symbol Technologies Signs Multi-Year OEM Agreement with Protocol Systems to Deliver Wireless Technologies to the Healthcare Industry; <i>Business Wire</i> ; April 10, 2000	
	124 ✓	HEADLINE: Protocol Systems Inc. Introduces Flexnet - a Wireless Patient Monitoring Network Accessible Over the Internet; <i>Business Wire</i> ; March 6, 2000	
	125 ✓	Juvenile Diabetes Foundation International the Diabetes Research Foundation; Printout of Internet Homepage; http://www.jdf.org/pubinfo/news050300.html ; downloaded June 8, 2000	
	126 ✓	PRENDERGAST et al., Diabetes Management with Internet Augmentation; Prior to June 5, 2000	
	127 ✓	PROJECT AND OVERALL DESCRIPTION; Printout of Internet Homepage; http://www.diabcare.de/diabindex.html ; downloaded June 5, 2000	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1

Substitute for form 1449A/PTO
(Revised 10/2001)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Application Number: 09/883,708
Filing Date: June 18, 2001
First Named Inventor: Nemeth et al.
Group Art Unit:
Examiner Name:
Attorney Docket Number: 43349/236035

Sheet 7 of 7

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	128 /	WEBER; The Web May Lead to Virtual House Calls; <i>The Wall Street Journal</i> ; January 17, 2000 (reprint)	
	129 /	Article regarding Internet ClinTrials Research, Inc.; <i>The Charlotte Observer</i> , May 29, 2000	
	130 /	Ambulatory Muscle Fatigue Monitor; Printout of Internet Homepage; http://www.aro.army.mil/arowash/rt/a_1page17.html ; downloaded May 30, 2000	
	131 /	<i>Health Hero Network</i> ; printout of International homepage; http://www.healthhero.com/index.html ; downloaded June 12, 2000	

#4512898v1

RECEIVED
JAN 30 2002
Technology Center 2100

Examiner Signature	Date Considered
--------------------	-----------------

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. #4512898v1